

REMARKS

This is intended as a full and complete response to the Office Action dated December 24, 2008, having a shortened statutory period for response extended one month to expire on April 24, 2009. Please reconsider the claims pending in the application for reasons discussed below.

Claim Rejections - 35 U.S.C. 103

Claims 1, 2, 4-12, 14, 15, 20-24, and 33 stand rejected under 35 U.S.C. 103(a) as being unpatentable under over JP 03066725 (hereinafter "JP") in combination with US Patent No. 6,156,692 (hereinafter "Nubel"). The Applicant respectfully traverses the rejection.

The combination of JP and Nubel fails to disclose all the claimed elements recited in the Applicant's claims. For example, the combination of JP and Nubel do not disclose removing metal(s) to a concentration less than about 1 part per million (ppm) by weight. The Examiner asserts that JP discloses purifying a metathesis reaction product with at least one adsorbent selected from clay, activated carbon, diatom earth, activated alumina and zeolite, and that Table 1 on page shows removal of catalytic metal tungsten to a level of less than 30 ppm. The Examiner then asserts that Applicant's claim recitation of less than 1 ppm overlaps with or lies inside the disclosed limitation of less than 30 ppm in JP, and therefore JP reads upon Applicant's claim limitation.

While the Applicant agrees that Table 1 of JP discloses catalytic metal tungsten levels that are below 30 ppm (for example 4 ppm for Examples 2 and 3), the Applicant has not found in JP any reference to a disclosed general limitation of less than 30 ppm catalytic metal. For completeness, the Applicant has secured a translation to the English language of the entire JP reference. The translation is attached hereto in a Supplemental Information Disclosure Statement, and the Applicant respectfully requests the Examiner's consideration of the translation.

In the translation it can be seen that the best catalytic metal removal obtained by JP was in Example 2, which resulted in a polymer having 4 ppm tungsten and 2 ppm aluminum, indicating total catalytic metal concentration of 6 ppm. Therefore, the Applicant finds that the

claimed range of less than 1 ppm does not overlap with or lie inside the range of the best result found in JP (6 ppm).

Nubel also does not disclose removing metal(s) to a concentration less than about 1 part per million (ppm) by weight. Therefore, the combination of JP and Nubel fails to disclose all the claimed elements recited in the Applicant's claims, and therefore does not teach, suggest, or otherwise render obvious the Applicant's claims. Withdrawal of the rejection is respectfully requested.

Allowable Subject Matter

Claims 16-18 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant appreciates the Examiner's finding of allowable subject matter.

Having addressed all issues set out in the Office Action, the Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

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Respectfully submitted,

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